## REMARKS/ARGUMENTS

Currently in the case, after amendment, claims 1 - 8 are pending and rejected with claims 2,3, & 5 having been previously indicated as being "objected to".

This Amendment responds to the aforementioned Office Action, wherein the claims as originally presented were rejected under Title 35 of United States Code, §§112, 102 & 103. The Examiner's remarks have been carefully considered and, in view of the cited art, the claims which have amended to more particularly point out the distinctly claimed what Applicants regard as the subject matter of this present invention, it is sincerely believed that the claims which remain in the instant case patentably distinguish over all the prior art references. It is respectfully requested that this Application be re-examined in view of the following remarks, that the rejections be withdrawn, and that allowable subject matter be identified.

First, Applicant and Attorney for Applicant appreciate the time spent with the Examiner by phone in presenting a series of proposed limitations in a meeting with the Examiner and Supervisor. The claims submitted have limitations which are believed to clearly distinguish over the cited references.

The points raised by the Examiner in the written office action will be responded to in the order they were discussed by the Examiner in the Office Action.

The comments of page 2 are noted, however, the abstract in this case does not contain any of the language alluded to.

The comments under the Claim Objections section have been incorporated into the claims.

Under "claim rejections" the Examiner objected to the phrase "axially and rotationally securing" of lines 3-5 of claims 7 & 8 as lacking antecedent basis ( presumably in the text of the specification). Note that line 5, page 22 which states "The flat portion 219 fixes the adapter 201 both rotationally and axially." would seem to supply the antecedent basis for this limitation.

Next, claims 1 and 4 were rejected under 35 U.S.C. §102 as anticipated by U.S. Patent No. 5,205,548 to Justesen. The Justensen reference makes an inviting reference at first blush because it *is* a right angle drive for a milling machine and has a chuck.

**Background**

The PURPOSE of Applicant's invention is the ELIMINATION of floor space which would otherwise be occupied by a specialized tool. Applicant does this by providing an upper member which can derive fixation in any structure from which it can maintain its linear approach to a hole to be tapped.

The FACT that the use of a structural support, such as a drill press, which can also rotate is of no importance.

Moreover, the support which is utilized by Applicant's invention SHOULD NOT BE ROTATING AT ALL during its use.

What are some of the important elements of Applicant's claimed invention? The lower member which holds the tap can be gently urged against a gentle force bias in the direction of the upper member. Why? First it enables a user to bring the tap down in a guided way to see if it is concentrically aligned with the hole. Second, it enables the tap to be started with just enough downward manual pressure against the tap to enable it to be guided to the hole with the tap starting manually with almost zero excess pressure toward the tap hole. Third, the device lower member is freely manually rotatable with respect to the upper member. This enables, once the tap starts, a one handed or two handed *manual* turning of the lower member to enable the tap to enter the bore to be tapped in a *GUIDED* manner with *FREEWHEELING* turning of the lower member with respect to the upper member.

Why is this *GUIDED* and *FREEWHEELING* turning of the lower member important? It is important "on entry" as well as "on exit".

On entry: First, it enables a user to NOT HAVE TO WORRY about applying an even "tap entry" turning force as is the case for unguided tappers. Second it can enable one handed operation during "tap entry". Because the tapper is guided, a user can

hit, shove or push a knob displaced from the axial center of the tapper without fear of ruining the tap by mis-aligning the tap because care was not taken in applying a turning force exactly about the axis. This is true even at the beginning few turns of thread formation where the tap would normally otherwise be at risk of damaging the newly formed threads at the outside of the bore. Third, the weak urging of the lower member toward the upper member insures that the axial movement forces on the tap are derived from the tap threads with no significant external forces coming into play. The lower member "follows" the tap into the bore to be tapped with no significant axial pulling forces.

On exit: First, it enables a user to RAPIDLY SPIN the tap on "tap exit" to reduce the time to back the tap out of the formed threaded bore. Second, and most importantly, the claimed invention provides a gentle AUTOMATIC LIFT away from the threaded bore as the tap is backed out. This (1) eliminates the need for the operator to "watch" the backing out tap to see when it has reached a point just at its reversal so that he could otherwise "slow down", (2) automatically prevents de-stabilization and damage to the outside threads, and (3) GENTLY pulls the tap away from the threaded bore *"as soon as it is clear of the last thread"* and does this using the relatively weak, GENTLE bias of force of the lower member toward the upper member.

The claims and the Justensen device.

It is clear that the Justesen device cannot meet the claimed limitation of the invention. Most important, the Justensen structure is not manually rotatable as it is LINKED to a motor. In large devices, especially lathes, there is a motor linked to the chuck, through a cascade of mechanical advantage (dis-advantage as measured from the chuck to the motor). Thus, the lower portion (if analogized to the Justensen device) is not moveable, and is certainly not FREELY movable.

Further, the device in Justesen cannot be manually directly displaced. A strong force requires the use of a rack to apply drilling force. Thus, to even try to use Justeson in the same manner as the invention, a user would probably break his arm trying to manually pull the chuck down, and then would have no free wheeling turning and would be forced to turn against the back motive force of the motor, even if the user were strong enough to do this. In starting the tap, the user would tend to press too hard on the tap and would probably contravene the normal progressive pitch of the tap. Further, even if all this were possible, the extreme force on the tap would damage the threads on backout.

In sum, claims 1 and 4 include many limitations not seen in Justesen. Justesen lacks:

(1) lower body freely manually rotatable with respect to said upper body;

(2) lower body manually axially displaceable away from said upper body;

(3) lower body enables a user to directly manually engage said lower body and gently guide said lower body toward a bore to be tapped;

(4) said tapping tool to enable continuous guiding of said tap with manual turning advance into a bore throughout a length of threaded bore formed.

Claim 4 requires a handle to be attached DIRECTLY TO the lower body. The only handle seen in Justensen is a rack and pinion because the force needed to urge a drill bit into steel is SO SEVERE. Note that Examiner notes mechanical advantage, and mechanical advantage in TURNING the lower body. Justesen has a special arrangement to enable a rack and pinion handle for forcibly driving the drive chuck into the steel to be bored.

Claims 1 and 4 are therefore believed to be in condition for allowance with respect to Justesen.

Next, claims 6-8 were rejected under 35 U.S.C. §103(a) over Justesen in view of U.S. Patent No. 4,750,750 to Batalorf, Jr., entitled "SOCKET DRIVE ADAPTER". Batadorf discloses a socket which is attached to a cylindrical member not having a flattened area.

First, claim 6 claims the tapping tool in which not only lacks structure and function of Justesen and Batalorf, including

(1) lower body freely manually rotatable with respect to said upper body,

(2) the lower body manually axially displaceable away from said upper body,

(3) the lower body gently force biased toward said upper body; and

(4) the ability of said lower body to use the force bias to gently lift said tap gently away from a tapped bore once said tap has completed backing out of said tapped bore.

Nothing in claim 6 teaches or suggests this series of limitations, and in fact, any combination of Justesen and Batalorf. If Justesen and Batalorf were to be combined, it would be for the purpose of using the socket adapter for drill bits. Nothing in either Justesen and Batalorf teaches or suggests the combination of the adapter and tapping tool of the claimed invention. Further, the purposes and objectives of the claimed invention cannot be met with any combination of the structures shown or described in any combination of Justesen and Batalorf.

Claim 7 adds the limitation of a lateral flat portion to enable it to be integrated into the lower member in lieu of the chuck. No combination of Justesen and Batalorf makes obvious

these structural limitations. Claim 8 claims the adapter for a tapping tool, and inasmuch as neither Justesen and Batalorf show the structure of the tapping tool claimed. Claim 8 claims the adapter itself, and no combination of Justesen and Batalorf gives either the structure, teaching or objectives claimed in claim 8.

Therefore, claims 6-8 are believed to be in condition for allowance and an indication of such is solicited.

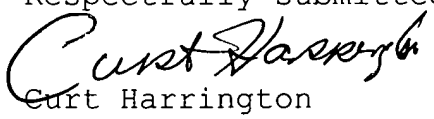
On page 5, the Examiner indicated allowable subject matter for which Applicant notes. However, Applicant believes that all of the claims are currently in condition for allowance.

Applicant requests reconsideration and ultimate allowability of all aspects of the case, including all of claims 1 - 8.

The Examiner is invited to telephone Applicant's Attorney at the number below between the hours of 1:00 p.m. and 6:00 p.m. Eastern Standard Time, if such will advance this case.

Dated: February 17, 2005

Respectfully submitted:



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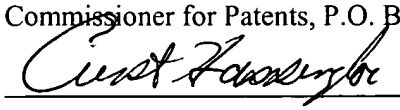

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